(1—6)

Previous references.

File No. 7—11

1911

Serial Nos. /

(Legislative

Later references.

Legis 14-13

G. Fd. 169-16 vols, K. Feb 17

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. /

Part B. for August 1911

SUBJECT.

Amendment of the Rules for the Nomination of members to the Legislative Council from the members of the Representative Assembly.

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1) To the Compiler, Improved gazette, No: 9444 & 2.8.11

Notifies the amendment of rule 2 of the rules for the selection of non-official members to the Legislative Council by the Representative Assembly.

G. R. S. 58

Cronavon

18/10/11

1

GENERAL AND REVENUE SECRETARIAT

(Legis)

NOTES.

File No. 7-11

FILE HEADING.

Amendment of the Rules ~~regarding~~ for the Nomination of Members to the Legislative Council from the Members of the Representative Assembly

From

No.	Dated	Received

Diary No.	Enclos.	Spare Copies	Serial No.

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

H. W. As directed in person the file relating to the appointment of Messrs Venkatramiah and Ramanna as members of the Legislative Council is submitted. They were appointed with effect from 1st Nov 1909. Ss

NOTES—First sheet

GPB—15,000—24-4-09.

Serial No.

H. O.

There will under the Regulation expire on the 31st October 1911. But members to be appointed or appointed to the Council from the Representative Assembly have to be elected at a session of the Assembly. Under the F of the revised rules of election it looks as if these vacancies can be filled only at the annual session of the Assembly to be held in september or october 1912, for it says that when the place of a member nominated under these rules becomes vacant it shall be filled up only at the next annual session of the Representative Assembly [session of 1911] the Assembly would have ceased to exist by the time the period of appointment of the members in question expires, and would be unable to exercise their right with respect to a vacancy occurring after their sitting and as such nominated members to these seats only on the recommendation of the members there will be a period

NOTE—Contn. sheet.

GPB—55,000—27-4-09

G. R. S. 12]
General and Revenue Secretariat.

Legs File No. 7 of 1911.

Serial No.

during which the seats thrown open to the Representative members should be kept unfilled.

HLC Rule 11 of the old Rules which the present Rule 9 replaced provided for a selection at the next Session of the Assembly only in Cases where vacancies occurred otherwise than by effluxion of time. This qualification had been retained in the draft first prepared but has been omitted in the draft finally approved.

HLC It is not apparent from the file why such a qualification was omitted. Perhaps the idea is to arrange for elections once in 2 years. Rule 9 of the revised rules has accordingly to be amended. ~~The old Section 11 is also omitted, that the present provision regarding selection~~ The old provision regarding election at the next Session of the Assembly may also be retained perhaps in Case of vacancies arising otherwise than by effluxion of time.

Subject to orders. Rule V of the

NOTE—Contn. sheet.

SN(11)

1x/5 CPB—55,000—27-4-11

G. R. S. 12]
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Existing rules seems to require revision as under it no Election can be held at the Assembly Sittings of this year, tho' the term of the members Expires on the 31st Oct-11.

4 The rule may perhaps be altered as follows:—

Rule V When the place of a member of the L.C. nominated under these rules from among the members of the R.A. belonging to either of the two groups refd to in rule II becomes vacant, such place shall only be filled up after the votes of the members of such group shall have been recorded in the manner prescribed in these rules, at the Second Annual Session of the R.A after the nomination of the member whose place has become vacant if the vacancy has occurred by efflux of time, and, if the vacancy has occurred otherwise, at the next annual Session after the occurrence of such vacancy."

5 If it is considered inexpedient to provide for casual vacancies the words ~~by giving with~~ underlined in red ink

NOTE—Contn. sheet.

GPB—55,000—27.4.09

Serial No.

may be omitted one disadvantage in providing for casual vacancies is that the period of membership of the two terminates at the same time members may not be re-elected and that an election may be necessitated every year

Subd for orders

17/5/11

19/5/11

See 7) b The amendment suggested above may be made.

2nd Cr & Dewan) 19/5/11

7 I think the rule may be modified somewhat as follows:

8 When either of the members so nominated has vacated his seat by efflux of time under S. 6 of the Regulation an election shall be held for filling up the vacancy in accordance with these rules at the annual Session of the Assembly immediately preceding the date of

Serial No.

Such vacancy. In Case of a vacancy ~~other~~ occurring otherwise than by efflux of time, ~~he~~ may fill up the vacancy ~~by~~ by nominating a member ~~to~~ to ~~continue as such~~ to the next Session of the Assembly when an election to replace him shall be held in accordance with these rules, at the next Succeeding Session -

Dewan

17/5/11

I think this may be done (with the slight alteration suggested in the draft)

SH 21/5/11

11808
24.5.11

To be circulated to the Committee also -

10

Circulate

CBR 23/6/11

SH 23/6/11

(Adm)

11

I agree to the alteration of rule V as suggested by the Dewan.

12258
28.6.11

CBR 27/6/11

CBR 27/6/11

NOTE—Contn. sheet.

GPB—50,000—12-8-10

G. R. S. 12]
General and Revenue Secretariat.

Legs File No. 7 of 19 11

Serial No.

Sorry this was not cleared understood. HH 5/7/11

12 The Dewan's alteration in the 2nd cr's modified draft has not been circulated to the Second Cr.

Secy 28/June/11 ZH 28/6/11

13 Resubmitted to 2nd cr

CSR 30/6/11

14) I think the alteration ~~in~~ suggested is not quite clear. Perhaps ~~the~~ as corrected in Pencil by me it may be better.

15) 1/7/11 The word 'request' may also perhaps be omitted Dewan

CSR 4/7/11

16 Agreed - Memo drafted

1235/ 4.7.11

ZH 7/7/11

NOTE—Contn. sheet.

GPB—50,000—12-8-10

A

N O T I F I C A T I O N.

No.J.794-Legis., dated 15th Septr.1909.

x x x x x

Second Councillor's modification.

V. When either of the members so nominated has to vacate his seat by efflux of time under Section 6 of the Regulation, an election shall be held for filling up the vacancy in accordance with these rules at the annual session of the Assembly immediately preceding the date of such vacancy, In case of a vacancy occurring otherwise than by efflux of time, an election to replace him shall be held in accordance with these rules, at the next succeeding session.

Original Rule.

V. When the place of a member of the Legislative Council nominated under these rules from among the members of the Representative Assembly belonging to either of the two groups referred to in Rule II, becomes vacant, such place shall only be filled up after the votes of the members of such group shall have been recorded in the manner prescribed in these rules, at the next annual session of the Representative Assembly.

9

N O T I F I C A T I O N.

No.J. 794-Legis., dated 15th September 1909.

---

x x x

Second Councillor's modification.

V. When either of the members so nominated has to vacate his seat by efflux of time under Section 6 of the Regulation, an election shall be held for filling up the vacancy in accordance with these rules at the annual session of the Assembly either immediately preceding, or immediately following the date of such vacancy, whichever is nearer. In case of a vacancy occurring otherwise than by efflux of time, an election to replace him shall be held in accordance with these rules, at the next succeeding session.

Original Rule.

V. When the place of a member o the Legislative Council nominated unde these rules from among the members o the Representative Assembly belonging to either of the two groups referred t in Rule II, becomes vacant, such place shall only be filled up after the vote of the members of such group shall hav been recorded in the manner prescribe in these rules, at the next annual se sion of the Representative Assembly.

Submitted to His Highness.

21 Under Rule V of the rules for the election of non-official members to the Legislative Council from the Representative Assembly, published with Notification No. J 794-Legis. dated 15th September 1909, vacancies among th members thus elected can only be filled up by election a the succeeding session of the Dasara Representative Assembly.

22. As the Dasara does not fall on a fixed date it may some times happen that the session of the Dasara Representative Assembly in a year is held just before the expiry of the period of two years for which such elected members are appointed, and, under Rule V referred to abo the vacancy can only be filled up at the next year's session of the Dasara Representative Assembly.

23. It is therefore proposed to modify rule V so that vacancies caused by efflux of time may be filled up by election at the session of the Dasara Representative Assembly immediately preceding or immediately following the occurrence of the vacancy whichever is nearer. This may be approved. Vacancies caused otherwise than by efflux of time will continue to be filled up by election at

12

Record of Cases submitted for the Orders of His Highness the Maharaja

Subject.

Amendment of Rule V of the Rules for the selection of non-official members to the Legislative Council by the Representative Assembly.

48

Order.

24 Approved
KRW
15/7/11

25
Secy
17 July 11

26
Put up draft publishing the notn. CM 17/7/11

SB
18/7/11

KRW
18/VII/4

17/7/11 Yes

G. R. S. 12]
General and Revenue Secretariat.

Legis File No. 7 of 1911-12

Serial No.

27

Submitted with draft Notification

Ltr. Govt. of India returning copies ordered for the rules, as amended, to be printed

19/7/11

19/7/11

Ordered as directed

5/8/11

Case worker to keep up with progress

S.V.S 1/8.

1/8/11

28

Issue

2/8/11

4/8/11

No. J 464 dated 2nd Aug: 1911 to the Compiler Mysore Gazette orders the publication of the amendment to rule 4 of the Rules for the selection for nomination of two non-official members to the Mysore Legis. Cl. by the members of the Mysore Representative Association.

Inf. gazette part III page 337 of 3.8.11.

GPB—50,000—12-8-10

(3)

G.R.S. 26]

File No. 7 Legis

Serial No. 1

Notification

No. J 444/Legis-11-1

Diary No. of letter replied to

To

General and Revenue Secretariat

(Legis)

, the 19 .

Date of issue 2-8-11

Signed by Sri S. Srinivasaraya

In exercise of the pow
conferred by section 5 of the
Mysore Legislative Council Regu
the Govt of His Highness the
Maharaja are pleased to dir
that
the substitution of the
following rule for rule IV
of the Rules published und
Notification
No J 794 - Legis. dated
15th Sept 1909
16/9/10 prescribing the
conditions under which the
non-official members of
the Legislative council ma

over.

Vr. 90
5/8/11

Mysore Gazette
Part III
page 337
dt 3.8.11

SUBJECT.

be selected for nomination

"V. When either of the members so nominated has to vacate his seat by efflux of time under sec: 6 of the Regulation, an election shall be held for filling up the vacancy in accordance with these rules at the annual session of the Assembly either immediately preceding, or immediately following the date of such vacancy, whichever is nearer. In case of a vacancy occurring otherwise than by efflux of time, an election to replace him shall be held in accordance with these rules, at the next succeeding session."

By order

Sd/-

Secretary to Govt.

SW(II)

To The compiler, Mysore Gazette, for publication in the Part-III of the Mysore Gazette in English and Kannada and for sending 300 copies to the Office

Kannada translation will follow

Copied by

Examined by

List of enclosures,

GPB—2000—25-9-10

Copies 2/5/11

NOTIFICATION

No. J. 794—Legis., dated 15th September 1909.

(As ~~revised~~ amended by Notification No. J. 444—Legis. 7-11-1, dated 2nd August 1911.)

In exercise of the power conferred by Section 5 of the Mysore Legislative Council Regulation, I of 1907, and in supersession of the rules issued under Notification No. 102, dated the 10th June 1908, the Government of His Highness the Maharaja are pleased to make the following rules as to the conditions under which two non-official members of the Legislative Council may be selected for nomination :—

I. The nominations to two places on the Legislative Council may be made by Government from among the members of the Representative Assembly, the persons to be nominated being selected in the manner explained in the following rules.

II. For the purpose of these rules the members of the Representative Assembly will be divided into two groups, one group consisting of all the members returned to such Assembly from the Western Division of the State (comprising the Districts of Mysore, Hassan, Kadur and Shimoga) and the other group consisting of all the members returned from the Eastern Division (comprising the Districts of Bangalore, Kolar, Tumkur and Chitaldrug).

III. (1) At a meeting of the members of the Representative Assembly, to be held at such place and at such time during the annual session of the Assembly as may be fixed by Government, the members belonging to each of the two groups referred to in Rule II will be requested to vote for a member belonging to their own group, for being nominated by Government to the Legislative Council.

(2) Members of the Representative Assembly, who are willing to stand for election for any division shall intimate the fact in writing to the Secretary to the Government of Mysore, General and Revenue Departments, not later than the Vijaya Dasami day of the Dasara celebrations.

(3) The names of the candidates who have signified their intention to stand for election for each division and whose candidature may be approved by the Government, shall be notified to the members of the Representative Assembly by a list of such names being posted in a conspicuous place in the Assembly Hall on a date not later than two days before the date appointed for the election. The votes of the members shall be given only to one or other of such candidates.

(4) The voting shall be by ballot.

(5) An officer deputed by Government shall attend such meeting and coun the votes of the members.

(6) After the close of the meeting the officer referred to above shall submit the voting papers to the Government with a report showing the names of the candidates voted for by each group and the number of votes secured by each such candidate.

(7) The Government may make such supplementary rules of procedure as may be necessary for the disposal of business at such meeting.

IV. The two candidates who have secured the largest number of votes of the members of each group may be nominated by Government as members of the Legislative Council.

V. When either of the members so nominated has to vacate his seat by efflux of time under Section 6 of the Regulation, an election shall be held for filling up the vacancy in accordance with these rules at the annual session of the Assembly either immediately preceding, or immediately following, the date of such vacancy, whichever is nearer. In case of a vacancy occurring otherwise than by efflux of time, an election to replace him shall be held in accordance with these rules, at the next succeeding session.

By Order,
C. S. BALASUNDARAM IYER,
Officiating Secretary to Government, General and Revenue Departments.

Substituted for the original by Notification No. J. 444—Legislation 7-11-1, dated 2nd August 1911.